

REMARKS

This request for reconsideration is being made in response to the Office Action mailed on March 1, 2004. Claims 14, 16, 19, 22, 28, 35 - 69 are pending in the application.

Claims 14, 16, 19, 22, 28 and 35-69 are rejected under U.S.C. 102(b) as being anticipated by Fraser (US 5,729,252).

The Examiner alleges that Fraser teaches each of the limitations set forth in Applicant's claim 14. Applicant respectfully disagrees for the reasons stated below.

Each of the pending claims in the Application includes a limitation similar to limitation (d) of claim 14:

"scanning the barcode with a barcode scanner directly connected to the video camera system by a port in the camera body thereby generating an electrical signal in response to scanning the bar pattern."

Fraser fails to teach or even suggest a barcode scanner of the type described in Applicant's specification. Applicant's barcode scanner 52, (shown in Figure 4A and described on page 14, line 20 through page 15, line 22 of Applicant's specification), comprises a hand held scanner 52 connected to the camera by an I/O port 26 in the camera body 12. Applicant's bar code scanner 52 includes an illuminating light source 58 and a light sensitive sensor 60 that provides an electrical signal in response to illumination falling thereon. The electrical signal is communicated to the microprocessor 48, which interprets the electrical signals using a barcode interpreting instruction set stored in the memory 50. In addition, Applicant's claims 14, 16, 19, 38-40, and 56 - 60 specifically include a limitations directed to interpreting electrical signals to identify an element to the camera system in response to scanning the barcode.

This is completely different from the barcode interpretation taught by Fraser in Col. 2, lines 48 - Col. 3, line 2. In particular, Fraser projects an image 110 that includes an image of a barcode 112 and then captures an image of a scene that includes the projected barcode image. The captured image is a video image that is analyzed by the image processor 102 to detect and recognize the barcode pattern, from a video signal. Fraser lacks a bar code scanner directly connected to video camera system by a port in the camera body. Fraser lacks any step of scanning a barcode with a barcode scanner. Fraser lacks any teaching of generating an electrical signal in response to scanning the bar pattern because Fraser generates a video signal in response to capturing an image of the

bar pattern. Applicant's steps of scanning a barcode with a barcode scanner and interpreting electrical signals with a microprocessor housed within the camera system are fundamentally different from Fraser's step of capturing a video image of a projected barcode image and analyzing the video image with an image processor housed outside the camera system to detect a barcode pattern. Applicant's barcode scanner 52 never captures an image of a barcode. Applicant's camera system 10 never captures an image of a barcode pattern. Applicant's image processor never detects or recognizes a barcode pattern. Fraser never teaches or even suggests the limitation of scanning the barcode with a barcode scanner directly connected to the video camera system by a port in the camera body thereby generating an electrical signal in response to scanning the bar pattern.

It is respectfully submitted that Fraser fails to expressly or inherently describe, each and every element set forth in the pending claims. See *Verdgaal Bros. v Inion Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987) "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single reference." Every one of Applicant's pending claims sets forth a barcode scanner and no such barcode scanner is described by Fraser.

The Examiner is respectfully requested to reconsider and withdraw the rejection of claims 14, 16, 19, 22, 28, 35 - 69 under U.S.C. 102(b) as being anticipated by Fraser.

Other limitations of Applicant's pending claims are also missing from the teachings of Fraser. Specifically, claims 14, 44 - 50 and 61 - 69 each include a limitation similar to limitation (a) set forth in claim 14;

"providing a video camera system comprising a digital data processor, a video data capturing system and a memory module each housed within a camera body"

Fraser fails to teach a video camera system that includes this combination of elements housed within a camera body. Applicant's specification describes a video camera system 10. Figures 1a, 1b and 2 depict a camera system 10, a camera body 12, and a plurality of elements enclosed within the camera body 12. These include a microprocessor 48 an internal memory 50, a removable memory 30, a video image capture sensor 36 an A/D converter 38, plus digital data processing elements 40, 42, 44, and 46. The functionality and interrelation of these elements is described in the specification on page 12, lines 10 - 22.

Fraser shows, in Figure 1A, a video camera 101 and a separate image processor 102, connected with a multimedia computer 103. The multimedia computer 103

comprises a multimedia processor 104, an image memory 105 and a program memory 106. Fraser is completely silent about the structure of the camera 101, the multimedia processor 104 or the program memory 106, but specifically states that the image processor 102 is “a digital processor adapted to detect and recognize video signals representing bar code images, (Col 2, line 5). Clearly there is no teaching by Fraser to include the image processor 102 nor any of the elements of the multimedia computer 103 inside the housing of the camera 101.

Still further limitations of Applicant’s pending claims relate to creating element records on a database program and storing captured video images of an element in a database record that includes a field for storing the identifying name of the element and a field for storing a video image of the element associated therewith. Specifically, claims 28, 35 - 37, 41 - 43 set out such limitations.

Fraser lacks any teaching of preparing a videographic survey database or creating records for storing images to be captured by the camera 101. Instead, Fraser teaches capturing digital images of visual aids prior to the process of recording a presentation with the camera 101. The captured digital images are stored in the multimedia computer 103, on the image memory 105, with an identifying code associated with each image so that the multimedia processor 103 can selectively retrieve each image from the image memory 105 according to its identifying code, (Col. 2, lines 15 - 25). The retrieved image is then inserted into the digital record of the presentation being recorded by the camera 101 and compiled by the multimedia processor 104, (Col. 2, lines 63 - 68). This is completely different from Applicant’s invention for creating records in a database operating on a base computer and then transferring those records to the camera system 10 before conducting an image survey. Applicant’s survey database specifically provides display layouts, shown in Applicant’s Figures 6A and 6B, and associates a plurality of data fields with each element identifying name field. Moreover, Applicant’s database element records include specific fields, created in advance, for storing images captured by the camera system 10 with an appropriate element-identifying name associated with each image.

This is fundamentally different from Fraser, which uses an element name to retrieve an image and add the retrieved image data to a live video image. Applicant’s claims 28, 35 - 37, 41 - 43 and 51 - 55 include limitations relating to storing element record data within a memory module contained within the camera system 10. As stated above, Applicant’s camera system 10 includes memory modules 30 and 50 contained

within the camera body and database records including the element identifying names are stored within the camera system 10. This allows an operator to carry the camera system 10 to an element and scan a barcode associated with the element, using the barcode scanner connected to the camera system 10. In response to the barcode scan the camera system recalls a database record relating to the element from a memory housed within the camera system. The operator may then capture a video image of the element and the video image will be recorded in the memory with the appropriate element name associated with the image. Fraser lacks any teaching of transferring any data from the multimedia computer 103 to the camera system 101. Fraser is completely silent with regard to whether the camera system 101 even includes a memory module. Fraser lacks any teaching of scanning a bar code with a barcode scanner connected to the camera system. Fraser lacks any teaching of carrying the camera to a plurality of elements for conducting a videographic survey or generating a database for conducting a videographic survey.

Still further limitations of Applicant's pending claims 44 - 50 and 61 - 65 relate to providing a display device and displaying the identifying name of a survey element on the display device in response to scanning a barcode associated with the survey element. Fraser lacks any teaching or suggestion to display an element name on a display device.

As pointed out above, Fraser fails to expressly or inherently set forth each the limitations set forth in Applicant's claims. Reconsideration and withdrawal of the rejection of claims 14, 16, 19, 22, 28, 35 - 69 under U.S.C. 102(b) as being anticipated by Fraser is respectfully requested.

If the Examiner feels that a telephonic interview would be useful to discuss any further amendments to the claims for putting the application in condition for allowance, Applicants representative would welcome such an opportunity and can be reached by telephone at 781-541-6579, or by e-mail at "kelley.ima@rcn.com".

Submitted for Applicants by



Edward L. Kelley

Agent For Applicants

Reg. No. 41,112

Invention Management Associates

4 Militia Drive
Lexington, MA 02421